

**EAST COVENTRY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2021-251**

**“Miscellaneous Amendments to Subdivision and  
Land Development and Zoning Ordinances”**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF EAST COVENTRY TOWNSHIP, TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 3 (PLAN PROCESSING AND CONTENT), SECTION 22-304 (PRELIMINARY PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 1 (COMPLETE SUBMISSION), PARAGRAPH C AND PARAGRAPH F, SUBPARAGRAPH (5), AND SUBSECTION 2 (REVIEW), TO ELIMINATE MINOR SUBDIVISION PRELIMINARY PLAN REVIEW BY THE TOWNSHIP PLANNER, TOWNSHIP TRAFFIC ENGINEER AND TOWNSHIP SOLICITOR UNLESS REQUESTED BY THE PLANNING COMMISSION OR TOWNSHIP ENGINEER; TO AMEND SECTION 22-304 (PRELIMINARY PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 1 (COMPLETE SUBMISSION), TO DELETE PARAGRAPHS F AND G AND ALL SUBPARAGRAPHS IN THEIR ENTIRETY AND REPLACE WITH NEW PARAGRAPHS F AND G AND NEW SUBPARAGRAPHS; TO AMEND SECTION 304, SUBSECTION, SUBSECTION 1, PARAGRAPH H BY DELETING THE EXISTING PARAGRAPH H IN ITS ENTIRETY AND REPLACING WITH A NEW PARAGRAPH H; TO AMEND SECTION 22-304 (PRELIMINARY PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 2 (REVIEW), PARAGRAPH D (REVIEW BY THE BOARD OF SUPERVISORS), SUBPARAGRAPH (1), TO SPECIFY NUMBER OF PRELIMINARY PLAN SETS TO BE PROVIDED FOR BOARD REVIEW; TO AMEND SECTION 22-305 (FINAL PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 1 (COMPLETE SUBMISSION), PARAGRAPH E AND PARAGRAPH H, SUBPARAGRAPH (4), AND SUBSECTION 2 (REVIEW), TO ELIMINATE MINOR SUBDIVISION FINAL PLAN REVIEW BY THE TOWNSHIP PLANNER, TOWNSHIP TRAFFIC ENGINEER AND TOWNSHIP SOLICITOR UNLESS REQUESTED BY THE PLANNING COMMISSION OR**

**TOWNSHIP ENGINEER; TO AMEND SECTION 22-305 (FINAL PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 1 (COMPLETE SUBMISSION), PARAGRAPHS H AND I, TO ADD NEW SUBPARAGRAPH (10) TO REQUIRE AN ELECTRONIC COPY OF ALL PLANS AND SUPPORTING DOCUMENTS BE PROVIDED IN .PDF FORMAT ON A USB MEMORY STICK; TO AMEND SECTION 22-305 (FINAL PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 2 (REVIEW), PARAGRAPH D (REVIEW BY THE BOARD OF SUPERVISORS), SUBPARAGRAPH (1), TO SPECIFY NUMBER OF FINAL PLAN SETS TO BE PROVIDED FOR BOARD REVIEW; TO AMEND SECTION 22-307 (RECORDING OF FINAL PLAN), SUBSECTIONS 1 AND 2, TO DELETE ALL REFERENCES TO RECORD PLANS AND TO REQUIRE FIVE FULL PLAN SETS BE SUBMITTED FOR RECORDING AND TOWNSHIP USE; TO AMEND SECTION 22-310 (PERFORMANCE GUARANTEES), SUBSECTION 2 AND SECTION 22-311 (COMMENCEMENT OF DEVELOPMENT), SUBSECTION 2, TO DELETE ALL REFERENCES TO RECORD PLANS; TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 7 (ADMINISTRATION), SECTION 22-704 (MODIFICATIONS AND WAIVERS), SUBSECTIONS 1 AND 3, TO CHANGE THE UNREASONABLENESS STANDARD FOR GRANTING WAIVERS TO INSTEAD DEMONSTRATING STRICT APPLICATION IS UNNECESSARY RELATIVE TO THE PROPOSED PROJECT AND TOWNSHIP PLANNING OBJECTIVES, TO INCLUDE A REFERENCE TO THE NEW WAIVER REQUEST FORM ATTACHED AS APPENDIX “22-E”, AND TO ADD NEW APPENDIX “22-E”; TO AMEND CHAPTER 27 (ZONING), PART 8 (R-3 RESIDENTIAL DISTRICT), SECTION 27-803 (AREA, BULK AND DIMENSIONAL STANDARDS), SUBSECTION 2 (TWO-FAMILY DETACHED, TWO-FAMILY SEMI-DETACHED, SINGLE-FAMILY SEMI-DETACHED, SINGLE-FAMILY ATTACHED, TWO-FAMILY ATTACHED AND GARDEN APARTMENT RESIDENTIAL USES), PARAGRAPH B (MINIMUM NET LOT AREA, LOT WIDTH AND YARDS), TO MAKE A TECHNICAL CORRECTION TO THE CHART ENTRY FOR “SINGLE-FAMILY ATTACHED”; AND TO AMEND PART 13 (GENERAL AND SUPPLEMENTAL REGULATIONS AND DESIGN STANDARDS), SECTION 27-1319 (ACCESSORY USES AND ACCESSORY BUILDINGS), SUBSECTION 1, PARAGRAPH E (USES ACCESSORY TO COMMERCIAL ACTIVITIES), TO PROHIBIT STORAGE AND DISPLAY AREAS WITHIN THE APPLICABLE FRONT, SIDE AND REAR YARD SETBACK LINES AND TO FURTHER AMEND CHAPTER 22 (SUBDIVISION AND**

**LAND DEVELOPMENT), PART 3 (PLAN PROCESSING AND CONTENT), §22-304 (PRELIMINARY PLANS SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 3 (CONTENT), PARAGRAPH B (DRAFTING STANDARDS), SUBPARAGRAPH (8) TO DELETE THE MINIMUM FONT SIZE OF TEN AND REPLACE IT WITH A MINIMUM FONT SIZE OF 0.07 INCHES IN HEIGHT; AND TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 3 (PLAN PROCESSING AND CONTENT), §22-305 (FINAL PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), PARAGRAPH B (SITE DESIGN, LAYOUT STANDARDS AND CONTENT), SUBPARAGRAPH (1), SUBSECTION (H) BY DELETING THE REFERENCE TO MINIMUM FONT SIZE OF 10 AND REPLACING IT WITH A MINIMUM FONT SIZE OF 0.07 INCHES IN HEIGHT.**

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The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN:**

**SECTION I. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph C, is hereby amended to delete such paragraph in its entirety and to add the following in its place:

C. All preliminary plans and revisions to the plans shall be submitted to the Township for review by the Township Engineer and, except where a minor subdivision is proposed, the Township Planner, the Township Traffic Engineer, the Historical Commission, the Parks, Recreation and Conservation Committee and the Township Solicitor (sometimes referred to in this chapter individually, as a "Township Consultant" and collectively, as the "Township Consultants") no less than 21 consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting.

## **SECTION II. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph F, Subparagraphs (1) through (9) are hereby amended to delete Paragraph F and subparagraphs (1) through (9) in their entirety and replace with the following: F. Copies of the application and the preliminary plan, a waiver request letter (if applicable) in the format specified in section 704 of this Chapter and supporting information, as further described in this section, shall be supplied to the Township to permit the following distribution:

- (1) Two copies each of the preliminary plan, the official Township application, a waiver request letter in the format specified in section 704 of this Chapter, all supporting information, including the Sewage Facilities Planning Module, and the required escrow and application fees to the Township.
- (2) One copy each of the preliminary plan, County referral form, a waiver request letter in the format specified in section 704 of this Chapter, all supporting information, including the Sewage Facilities Planning Module, and accompanying fee to the County Planning Commission.
- (3) Two copies of the preliminary plan, two completed Sewage Facilities Planning Modules and appropriate fee to the Chester County Health Department.
- (4) Five copies each of the preliminary plan, a waiver request letter in the format specified in section 704 of this Chapter and supporting information and plans to the Township Planning Commission. The stormwater and traffic impact studies shall be submitted as an executive summary only that shall include a

description of the analysis and the final design and a statement of compliance with the stormwater management standards and compliance with the traffic standards and requirements of this chapter, Grading and Excavating [Chapter 9], Streets and Sidewalks [Chapter 21], the Standard Public Improvement Specifications, and other Township ordinances, as applicable.

(5) One copy each of the preliminary plan, a waiver request letter in the format specified in section 704 of this Chapter and supporting information (including technical appendices) and plans to the Township Engineer and, except where a minor subdivision is proposed, the Township Planner, the Township Traffic Engineer and the Township Solicitor. In the case of a minor subdivision, a copy of the preliminary plans shall be supplied to the Township solicitor for preparation of the draft resolution described in §22-304.2.c(4). All traffic count data shall also be provided to the Township in electronic format.

(6) One copy each of the preliminary plan, a waiver request letter in the format specified in section 704 of this Chapter and all related supporting information, including a copy of a completed Cultural Resource Notice (if required) submitted or to be submitted to the Pennsylvania Historical and Museum Commission, to the Historical Commission.

(7) One copy each of the preliminary plan, a waiver request letter in the format specified in section 704 of this Chapter and all related supporting information, to the Parks, Recreation and Conservation Committee.

- (8) One copy of the preliminary plan to any adjacent municipality or other governmental agency affected by the proposed development when requested by the Board of Supervisors or the Planning Commission.
- (9) One copy of the preliminary plan reduced to a sheet size of 11 inches by 17 inches for the Township file.
- (10) All preliminary plans and supporting documents submitted to the Township in paper form shall be included in.pdf format on a USB memory stick and shall be submitted to the Township concurrently with the paper documents.

### **SECTION III. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph G, is hereby amended to delete Paragraph G and Subparagraphs (1) through (7) in their entirety and replace with the following:

- G. When required, revised preliminary plans shall be submitted to the Township to permit the following distribution:
  - (1) Two copies each of the preliminary plan and, only if revised, two copies of a waiver request letter in the format specified in section 704 of this Chapter, all supporting information and the Sewage Facilities Planning Module to the Township.

- (2) Two copies of the preliminary plan and, only if revised, two copies of the completed Sewage Facilities Planning Module to the Chester County Health Department.
- (3) One copy of the preliminary plan and, only if revised, one copy of a waiver request letter in the format specified in section 704 of this Chapter and all supporting information to the Township Engineer.
- (4) If revised, one copy of the traffic impact study, a waiver request letter in the format specified in section 704 of this Chapter and plan to the Township Traffic Engineer.
- (5) One copy of the preliminary plan and waiver request letter in the format specified in section 704 of this Chapter, if revised, to the Township Planner.
- (6) Five copies each of the plan and waiver request letter in the format specified in section 704 of this Chapter, if revised, to the Township Planning Commission.
- (7) One copy of the preliminary plan and, only if revised, one copy of a waiver request letter in the format specified in section 704 of this Chapter and all supporting documentation to the Township Solicitor\_
- (8) One copy each of the preliminary plan and, only if revised, a waiver request letter and relevant supporting information to the Historical Commission.

- (9) One copy each of the preliminary plan and, only if revised, a waiver request letter and relevant supporting information to the Parks, Recreation and Conservation Committee.

- (8) All revised preliminary plans and supporting documents submitted to the Township in paper form shall be included in .pdf format on a USB memory stick and shall be submitted to the Township concurrently with the paper documents.

#### **SECTION IV. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Section 1 (Complete Submission), Paragraph H is hereby deleted in its entirety and replaced with the following:

H. The applicant shall furnish additional copies of the preliminary plans, waiver request letters in the format required by Section 704 of this Chapter in supporting information at the Township's request.

#### **SECTION V. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 2 (Review), is hereby amended to add the following at the end of the first paragraph of Subsection 2: "Where a minor subdivision is proposed, the preliminary plan shall be reviewed by the Township Engineer but shall not be reviewed by the other Township Consultants unless requested by the Planning Commission or the Township Engineer."



**SECTION VI. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 2 (Review), Paragraph D (Review by the Board of Supervisors), Subparagraph (1), is hereby amended to delete the second sentence of such subparagraph and to add the following in its place:

The applicant shall submit one paper copy and one electronic copy of the full preliminary plan set and five paper copies of the site plan to the Township for review by the Board and shall attend the meeting and conduct a presentation before the Board, using graphic illustrations of the proposed development, to explain the key features of the preliminary plan and the project.

**SECTION VII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph E, is hereby amended to add “, as appropriate,” after the words “review by the Township Consultants” and before the words “no less than” appearing in the second line of such section.

**SECTION VIII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph H, Subparagraph (4), is hereby amended to delete such subparagraph in its entirety and to add the following in its place:

(4) One copy each of the final plan and supporting information (including technical appendices) and plans to the Township Engineer and, except where a minor subdivision is proposed, the Township Planner, the Township Traffic Engineer, and the Township Solicitor. All traffic count data shall also be provided to the Township in electronic format. In the case of a minor subdivision, a copy of

the final plans shall be supplied to the Township Solicitor for preparation of the draft resolution described in §22-305.2.C(4).

**SECTION IX. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph H, is hereby amended to add a new Subparagraph (10), as follows:

(10) All final plans and supporting documents submitted to the Township in paper form shall be included in .pdf format on a USB memory stick and shall be submitted to the Township concurrently with the paper documents.

**SECTION X. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph I, is hereby amended to add a new Subparagraph (10), as follows:

(10) All revised final plans and supporting documents submitted to the Township in paper form shall be included in .pdf format on a USB memory stick and shall be submitted to the Township concurrently with the paper documents.

**SECTION XI. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 2 (Review), is hereby amended to add the following at the end of the first paragraph of such subsection: “Where a minor subdivision is proposed, the final plan shall be reviewed by the Township Engineer but shall not be reviewed by the other Township Consultants unless requested by the Planning Commission or the Township Engineer.”

## **SECTION XII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 2 (Review), Paragraph D (Review by the Board of Supervisors), Subparagraph (1), is hereby amended to delete the second sentence of such subparagraph and to add the following in its place:

The applicant shall submit one paper copy and one electronic copy of the full final plan set and five paper copies of the site plan to the Township for review by the Board and shall attend the meeting and conduct a presentation before the Board, using graphic illustrations of the proposed development, to explain the key features of the final plan and the project.

## **SECTION XIII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-307 (Recording of Final Plan), Subsection 1, is hereby amended to delete the first sentence of such subsection and to add the following in its place:

Upon satisfactory completion of the procedures set forth in this chapter and any and all conditions of plan approval imposed by the Board of Supervisors including, but not limited to, the execution of all legal agreements, which shall be satisfactory to the Board of Supervisors and the Township Solicitor, the posting of all financial security, and the payment of all required escrows, fees and costs by the applicant, all endorsements shall be indicated on five complete sets of the final plan and on as many other copies of the final plan as may be desired by the applicant.

## **SECTION XIV. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-307 (Recording of Final Plan), Subsection 1, is hereby further amended to delete the word “record” appearing after the word “final” and before the word “plan” appearing in the last sentence of such subsection.

**SECTION XV. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-307 (Recording of Final Plan), Subsection 2, is hereby amended to delete the words “Upon the signing of the final plan” appearing in the first sentence of such subsection and to add the following in its place: “Upon the signing of five sets of the final plan”.

**SECTION XVI. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-310 (Performance Guarantees), Subsection 2, is hereby amended to delete the words “or record plan” appearing in the second sentence of such subsection.

**SECTION XVII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-311 (Commencement of Development), Subsection 2, is hereby amended to delete the words “record plan” appearing after the words “have been approved,” and before the words “has been recorded” in the first sentence of such subsection, and to add the words “final plan” in its place.

**SECTION XVIII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 7 (Administration), Section 22-704 (Modifications and Waivers), is hereby amended to delete Subsection 1 in its entirety and to add the following in its place:

1. In any case in which an applicant demonstrates to the satisfaction of the Board of Supervisors that the literal enforcement or strict application of one or more provisions of this chapter would exact undue hardship to the applicant because of peculiar conditions pertaining to the land in question, the Board may grant a modification of or waiver from the requirement; provided, however, that such

modification or waiver shall not be granted if it would be contrary to the public interest or to the purpose and intent of this chapter.

**SECTION XIX. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 7 (Administration), Section 22-704 (Modifications and Waivers), Subsection 3, is hereby amended to delete the “.” at the end of the first section of such subsection and to add the following in its place: “, the form of which is provided in Appendix 22-E of this chapter.”

**SECTION XX. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 7 (Administration), Section 22-704 (Modifications and Waivers), Subsection 3, is hereby amended to delete Paragraph C in its entirety and to add the following in its place:

C. A full and complete explanation of the reasons why strict application of the requirements of the identified section(s) would exact undue hardship to the applicant because of peculiar conditions pertaining to the land in question if the requested relief is not granted.

**SECTION XXI. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), is hereby amended to add new “Appendix 22-E” in the form of Exhibit “A” attached hereto and incorporated herein by this reference.

**SECTION XXII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 27 (Zoning), Part 8 (R-3 Residential District), Section 27-803 (Area, Bulk and Dimensional Standards), Subsection 2 (Two-Family Detached, Two-Family Semi-detached, Single-Family Semi-detached, Single-Family Attached, Two-Family Attached and Garden Apartment Residential Uses), Paragraph B (Minimum Net Lot Area, Lot Width and Yards), is hereby amended to move the reference to “30

feet” appearing in the Chart line entry for “Single-Family Attached” from the “Minimum Side Yards” column to the “Minimum Rear Yard” column.

**SECTION XXIII. – Amendment to Code.**

The Codified Ordinances of East Coventry Township, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 27-1319 (Accessory Uses and Accessory Buildings), Subsection 1, Paragraph E (Uses Accessory to Commercial Activities), is hereby amended and restated in its entirety, as follows:

E. Uses Accessory to Commercial Activities. Any commercial activity involving the sale of equipment or materials may, while open for business, have an outdoor display area comprising not more than 25% of the indoor area, and the outdoor storage of goods for sale shall be permitted; provided no outdoor display area or outdoor storage area shall extend beyond the front, side, and rear yard building setback lines applicable to the lot. Any shed, lean-to or storage building shall be located in the rear yard of the principal building or structure. This paragraph shall not apply to motor vehicle displays of vehicles for sale.

**SECTION XXIV. – Amendment to the Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 3 (Content), Paragraph B (Drafting Standards), Subparagraph (8) is hereby amended by deleting the minimum font size of 10 and replacing it with a minimum font size of 0.07 inches in height.

**SECTION XXV. – Amendment to the Code.**

The Codified Ordinances of East Coventry Township, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Paragraph B (Site Design, Layout Standards and Content),

Subparagraph (1) Subsection (h) is hereby amended by deleting the reference to minimum font size of 10 and replacing it with minimum font size of 0.07 inches in height.

**SECTION XXVI. – Severability.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION XXVII. – Failure to Enforce not a Waiver.**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION XXVIII. – Effective Date.**

This Ordinance shall take effect and be in force from and after its approval as required by the Second Class Township Code.

**SECTION XXIX. – Repealer.**

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

**ORDAINED AND ENACTED** by the Board of Supervisors of East Coventry Township,  
Chester County, Pennsylvania, this 8<sup>th</sup> day of November, 2021.

**EAST COVENTRY TOWNSHIP**

By:

Attest:

\_\_\_\_\_  
**Ray Kolb**, Chairman

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**David G. Kraynik**, Secretary

DRAFT



## **NOTICE**

NOTICE is hereby given that the Board of Supervisors of the Township of East Coventry, at its public meeting on November 8, 2021 in the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance amending the Codified Ordinances of East Coventry Township, Chester County, Pennsylvania, to amend Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph C and Paragraph F, Subparagraph (5), and Subsection 2 (Review), to eliminate minor subdivision preliminary plan review by the Township Planner, Township Traffic Engineer and Township Solicitor unless requested by the Planning Commission or Township Engineer; to amend Subsection 1 (Complete Submission), to delete Paragraphs F and G and all subparagraphs in their entirety and replace with new Paragraphs F and G and new subparagraphs; to amend Section 304, Subsection, Subsection 1, Paragraph H by deleting the existing Paragraph H in its entirety and replacing with a new Paragraph H; to amend Subsection 2 (Review), Paragraph D (Review by Board of Supervisors), Subparagraph (1), to specify number of preliminary plan sets to be provided for Board review; to amend Section 22-305 (Final Plan Submission, Resubmission, Review and Content), Subsection 1 (Complete Submission), Paragraph E and Paragraph H, Subparagraph (4), and Subsection 2 (Review), to eliminate minor subdivision final plan review by the Township Planner, Township Traffic Engineer and Township Solicitor unless requested by the Planning Commission or Township Engineer; to amend Subsection 1 (Complete Submission), Paragraphs H and I to add new Subparagraph (10) to require an electronic copy of all plans and supporting documents be provided in .pdf format on a USB memory stick; to amend Subsection 2 (Review), Paragraph D (Review by Board of Supervisors), Subparagraph (1), to specify number of final plan sets to be

provided for Board review; to amend Section 22-307 (Recording of Final Plan), Subsections 1 and 2, to delete all references to record plans and to require five full plan sets be submitted for recording and Township use; to amend Section 22-310 (Performance Guarantees), Subsection 2 and Section 22-311 (Commencement of Development), Subsection 2, to delete all references to record plans; to amend Chapter 22 (Subdivision and Land Development), Part 7 (Administration), Section 22-704 (Modifications and Waivers), Subsections 1 and 3, to change the unreasonable standard for granting waivers to instead demonstrating strict application is unnecessary relative to the proposed project and Township planning objectives, to include a reference to the new waiver request form attached as Appendix “22-E”, and to add new Appendix “22-E”; to amend Chapter 27 (Zoning), Part 8 (R-3 Residential District), Section 27-803 (Area, Bulk and Dimensional Standards), Subsection 2 (Two-Family Detached, Two-Family Semi-Detached, Single-Family Semi-Detached, Single-Family Attached, Two-Family Attached and Garden Apartment Residential Uses), Paragraph B (Minimum Net Lot Area, Lot Width and Yards), to make a technical correction to the chart entry for “Single-Family Attached”; and to amend Part 13 (General and Supplemental Regulations and Design Standards), Section 27-1319 (Accessory Uses and Accessory Buildings), Subsection 1, Paragraph E (Uses Accessory to Commercial Activities), to prohibit storage and display areas within the applicable front, side and rear yard setback lines and to further amend Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), §22-304 (Preliminary Plans Submission, Resubmission, Review and Content), Subsection 3 (Content), Paragraph B (Drafting Standards), Subparagraph (8) to delete the minimum font size of ten and replace it with a minimum font size of .07 inches in height; and to amend Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), §22-305 (Final Plan Submission, Resubmission, Review and

Content), Paragraph B (Site Design, Layout Standards and Content), Subparagraph (1), Subsection (h) by deleting the reference to minimum font size of 10 and replacing it with a minimum font size of .07 inches in height.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 307 Derstine Avenue, Lansdale, Pennsylvania 19446 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof. If enacted, a copy of the ordinance will be posted on the Township's website and forwarded to eCode 360 ([www.generalcode.com](http://www.generalcode.com)), and an attested copy will be filed with the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 within 30 days after enactment.

**MARK A. HOSTERMAN, ESQUIRE  
WISLER PEARLSTINE, LLP**